

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

K.C., et al.,)	
)	
Plaintiffs,)	
)	
v.)	
)	Case No. 1:23-cv-00595-JPH-KMB
THE INDIVIDUAL MEMBERS OF THE)	
MEDICAL LICENSING BOARD OF)	
INDIANA, in their official capacities, et al.,)	
)	
Defendants.)	

DOCKETING STATEMENT OF APPELLANT

In compliance with Rule 3 of the Federal Rules of Appellate Procedure and Seventh Circuit Rule 3(c), Defendants the Individual Members of the Medical Licensing Board of Indiana; the Executive Director, Indiana Professional Licensing Agency; Attorney General of the State of Indiana; Secretary, Indiana Family and Social Services Administration; and Indiana Family and Social Services Administration submit this Docketing Statement.

1. **Statement of District Court Jurisdiction:** Plaintiffs K.C., Nathaniel Clawson, Beth Clawson, M.W., Ryan Welch, Lisa Welch, A.M., Emily Morris, Maria Rivera, Catherine Bast, and Mosaic Health and Healing Arts, Inc., filed this putative class action for declaratory and injunctive relief, alleging that Indiana Senate Enrolled Act 480's (S.E.A. 480) prohibitions on providing gender transition procedures to minors and aiding and abetting the provision of those procedures to minors violate the Fourteenth Amendment's Equal Protection and Due Process Clauses; the First Amendment; Section 1557 of the Affordable Care Act, 42 U.S.C. § 18116; and Medicaid requirements. The District Court has subject matter jurisdiction under 28 U.S.C. § 1331.

2. **Statement of Appellate Jurisdiction:** The Court of Appeals has jurisdiction over this appeal under 28 U.S.C. § 1292(a)(1) because this is an appeal from a preliminary injunction. On July 26, 2023, the District Court issued an order granting in part Plaintiffs' motion for a preliminary injunction, Dkt. 67, and issued a preliminary injunction, Dkt. 68. The injunction enjoins enforcement of "S.E.A. 480's prohibitions on gender transition procedures, except the prohibition on gender reassignment surgery," and "S.E.A. 480's prohibition on 'aid[ing] or abet[ting] another physician or practitioner in the provision of gender transition procedures to a minor' as applied to providing patients with information, making referrals to other medical providers, and providing medical records or other information to medical providers." Dkt. 68 at 1. This is not a direct appeal from the decision of a magistrate judge. No Rule 59(e) Motion to Alter or Amend Judgment or other motion tolling the time for filing a Notice of Appeal has been filed. The merits of this case remain pending in the District Court.

3. **Notice of Appeal:** The Notice of Appeal is being filed contemporaneously herewith, within the time designated by the Federal Rules of Appellate Procedure, on this date, July 11, 2023.

4. **Prior or Related Appellate Proceedings:** There are no prior or related appellate court proceedings.

5. **Current Occupants of Offices Appearing in Their Official Capacities:** The current members of the Indiana Medical Licensing Board are John Strobel, Kirk Masten, Victoria McCann, Bharat H. Barai, Rebecca Moredock-Mueller, Frank Messina, and Heidi Dunniway. The current Executive Director of the Indiana Professional Licensing Agency is Lindsay Hyer. The current Attorney General of Indiana is Theodore E. Rokita. The current Secretary of the Indiana Family and Social Services Administration is Dan Ruyniak.

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Respectfully submitted,

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